

**MARKED UP VERSION OF AMENDED CLAIMS PURSUANT TO
37 CFR § 1.121(c)(1)(ii)**

1. (Amended) A web-based online store having a user interface for enabling a custom configuration of a computer system according to an identification of a user belonging to a prescribed customer set, said online store comprising:

a configurator for configuring a computer system with options selected according to a desired user input, the options and a respective pricing for each option being presented on a configurator web page;

a database for dynamically supplying configuration options to said configurator in accordance with the identification of the user belonging to the prescribed customer set;

a cart for temporarily storing a customer configured computer system and presenting the customer configured computer system on a cart web page, the cart web page further including at least one user selectable cart option; and

an interactive upsell advisor operatively coupled to said configurator, said database, and said cart for selectively providing an upsell recommendation to said cart as [a] an upgrade now user selectable cart option on the cart web page, the upsell recommendation being selectively provided as a function of the prescribed customer set, the customer configured computer system, and prescribed upsell advisor business rules, wherein said database dynamically supplies the prescribed upsell business rules to said upsell advisor, said upsell advisor utilizing the dynamically supplied prescribed upsell business rules in selectively providing upsell recommendations to said cart according to a sequencing of recommendations established per the upsell advisor business rules per store, further wherein upon a selection of the upgrade now user selectable cart option, said upsell advisor updates the customer configured

computer system configuration per the upsell recommendation and provides an updated price reflecting acceptance of the upsell to the cart webpage.

4. (AMENDED) The online store of claim 3, wherein a description of the upsell recommendation, the differential price, and [an] the upgrade now user selectable option are each displayed on the cart web page.

8. (AMENDED) The online store of claim 1, wherein said cart further includes merchandising recommendations for available options and their respective option details, the merchandising recommendations being presented on the cart web page in the event of an unavailability of the upsell recommendation by said upsell advisor [is unavailable], [and] wherein said database [is further for] dynamically [supplying] supplies the merchandising recommendations to said cart in accordance with a prescribed customer set.

10. (AMENDED) A method for enabling a custom configuration of a computer system according to an identification of a user belonging to a prescribed customer set via a user interface of a web-based online store comprising the steps of:

providing a configurator for configuring a computer system with options selected according to a desired user input, the options and a respective pricing for each option being presented on a configurator web page;

providing a database for dynamically supplying configuration options to the configurator in accordance with the identification of the user belonging to the prescribed customer set;

providing a cart for temporarily storing a customer configured computer system and presenting the customer configured computer system on a cart web page,

the cart web page further including at least one user selectable cart option; and

providing an interactive upsell advisor operatively coupled to the configurator, the database, and the cart for selectively providing an upsell recommendation to the cart as [a] an upgrade now user selectable cart option on the cart web page, the upsell recommendation being selectively provided as a function of the prescribed customer set, the customer configured computer system, and prescribed upsell advisor business rules, wherein the database dynamically supplies the prescribed upsell business rules to the upsell advisor, the upsell advisor utilizing the dynamically supplied prescribed upsell business rules in selectively providing upsell recommendations to the cart according to a sequencing of recommendations established per the upsell advisor business rules per store, further wherein upon a selection of the upgrade now user selectable cart option, the upsell advisor updates the customer configured computer system configuration per the upsell recommendation and provides an updated price reflecting acceptance of the upsell to the cart webpage.

13. (AMENDED) The method of claim 12, wherein a description of the upsell recommendation, the differential price, and [an] the upgrade now user selectable option are each displayed on the cart web page.

17. (AMENDED) The method of claim 10, wherein the cart further includes merchandising recommendations for available options and their respective option details, the merchandising recommendations being presented on the cart web page in the event of an unavailability of the upsell recommendation by the upsell advisor [is unavailable], [and] wherein the database [is further for] dynamically [supplying] supplies the merchandising recommendations to the cart in accordance with a prescribed customer set.

REMARKS

By this amendment, claims 2, 5, 7, 11, 14, and 16 have been canceled. Claims 1, 4, 8, 10, 13, and 17 have been amended. Claims 1, 3-4, 6, 8-10, 12-13, 15, and 17-18 remain in the application. Re-examination and reconsideration of the application, as amended, and withdrawal of the final action are respectfully requested.

The Declaration filed on September 10, 2001 under CFR 1.131 was deemed ineffective to overcome the Henson reference, U.S. Patent No. 6,167,383 ("Henson"). The applicants note that the subject matter of Henson was incorporated by reference into the specification of the instant application and that the present claimed embodiments are an improvement over Henson. Accordingly, the claims have been amended herein to more clearly distinguish over Henson.

Rejection[s] under 35 U.S.C. § 102

Claim 1

Claim 1 recites a web-based online store having a user interface for enabling a custom configuration of a computer system according to an identification of a user belonging to a prescribed customer set, said online store comprising: a configurator for configuring a computer system with options selected according to a desired user input, the options and a respective pricing for each option being presented on a configurator web page; a database for dynamically supplying configuration options to said configurator in accordance with the identification of the user belonging to the prescribed customer set; a cart for temporarily storing a customer configured computer system and presenting the customer configured computer system on a cart web page, the cart web page further including at least one user selectable cart option;

and an interactive upsell advisor operatively coupled to said configurator, said database, and said cart for selectively providing an upsell recommendation to said cart as an upgrade now user selectable cart option on the cart web page, the upsell recommendation being selectively provided as a function of the prescribed customer set, the customer configured computer system, and prescribed upsell advisor business rules, wherein said database dynamically supplies the prescribed upsell business rules to said upsell advisor, said upsell advisor utilizing the dynamically supplied prescribed upsell business rules in selectively providing upsell recommendations to said cart according to a sequencing of recommendations established per the upsell advisor business rules per store, further wherein upon a selection of the upgrade now user selectable cart option, said upsell advisor updates the customer configured computer system configuration per the upsell recommendation and provides an updated price reflecting acceptance of the upsell to the cart webpage.

Claim 10

Claim 10 recites a method for enabling a custom configuration of a computer system according to an identification of a user belonging to a prescribed customer set via a user interface of a web-based online store comprising the steps of: providing a configurator for configuring a computer system with options selected according to a desired user input, the options and a respective pricing for each option being presented on a configurator web page; providing a database for dynamically supplying configuration options to the configurator in accordance with the identification of the user belonging to the prescribed customer set; providing a cart for temporarily storing a customer configured computer system and presenting the customer configured computer system on a cart web page, the cart web page further including at least one user selectable cart option; and providing an interactive upsell advisor

PATENT

Docket No.: DC-01690 (16356.431)

Customer No. 000027683

operatively coupled to the configurator, the database, and the cart for selectively providing an upsell recommendation to the cart as an upgrade now user selectable cart option on the cart web page, the upsell recommendation being selectively provided as a function of the prescribed customer set, the customer configured computer system, and prescribed upsell advisor business rules, wherein the database dynamically supplies the prescribed upsell business rules to the upsell advisor, the upsell advisor utilizing the dynamically supplied prescribed upsell business rules in selectively providing upsell recommendations to the cart according to a sequencing of recommendations established per the upsell advisor business rules per store, further wherein upon a selection of the upgrade now user selectable cart option, the upsell advisor updates the customer configured computer system configuration per the upsell recommendation and provides an updated price reflecting acceptance of the upsell to the cart webpage.

Claims 1-18 were rejected under 35 U.S.C. § 102(e) as being anticipated by Henson, U.S. Patent No. 6,167,383 ("Henson").

The PTO provides in MPEP § 2131 that

"[t]o anticipate a claim, the reference must teach every element of the claim...."

Therefore, with respect to claims 1 and 10, to sustain this rejection the Henson patent must contain all of the above claimed elements of the respective claims. However, contrary to the examiner's position that all elements are disclosed in the Henson reference, the latter reference does not disclose an interactive upsell advisor operatively coupled to a configurator, database, and cart for selectively providing an

upsell recommendation to the cart as an upgrade now user selectable cart option on the cart web page, the upsell recommendation being selectively provided as a function of the prescribed customer set, the customer configured computer system, and prescribed upsell advisor business rules, wherein the database dynamically supplies the prescribed upsell business rules to the upsell advisor, the upsell advisor utilizing the dynamically supplied prescribed upsell business rules in selectively providing upsell recommendations to the cart according to a sequencing of recommendations established per the upsell advisor business rules per store, further wherein upon a selection of the upgrade now user selectable cart option, the upsell advisor updates the customer configured computer system configuration per the upsell recommendation and provides an updated price reflecting acceptance of the upsell to the cart webpage.

Therefore, the rejection is not supported by the Henson reference and should be withdrawn.

Accordingly, claims 1 and 10, are allowable and an early formal notice thereof is requested. Dependent claims (3, 4, 6, 8 and 9) and (12, 13, 15, 17, and 18) depend from and further limit independent claims 1 and 10, respectively, and therefore are allowable as well.

The amendments herein are fully supported by the original specification and drawings, therefore, no new matter is introduced. See the specification on page 10, line 6; page 11, lines 5-9; page 12, lines 11, 17-18, 19-25; page 13, lines 17-21; page 14, lines 19-22; page 15, lines 16-17, 25+; page 16, lines 1-2; page 17, lines 1-10, 23-26; and page 18, lines 15-26.

PATENT

Docket No.: DC-01690 (16356.431)

Customer No. 000027683

In view of the above, it is respectfully submitted that claims 1, 3-4, 6, 8-10, 12-13, 15, and 17-18 are in condition for allowance. Accordingly, withdrawal of the final action and an early Notice of Allowance is courteously solicited.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231

On

Jan. 11, 2002

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